

# COMMITTEE AMENDMENT FORM

DATE: 07/27/ 05

COMMITTEE      ZONING      PAGE NUM. (S) 1

ORDINANCE I. D. #05-O-0864      SECTION (S)

RESOLUTION I. D. #05-R-      PARA.

AMENDS THE LEGISLATION BY ATTACHING THREE (3) CONDITIONS.

AMENDMENT DONE BY COUNCIL STAFF 7/27/05

Municipal Clerk  
Atlanta, Georgia

05-0-0864

AN ORDINANCE  
BY:

Z-05-31  
Date Filed: 4-12-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps **1355 Funston Street, S.E.**, be changed from the R-4 (Single Family Residential) District to the PD-H (Planned Development-Housing) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 24. 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District", and Chapter 19A through Chapter 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

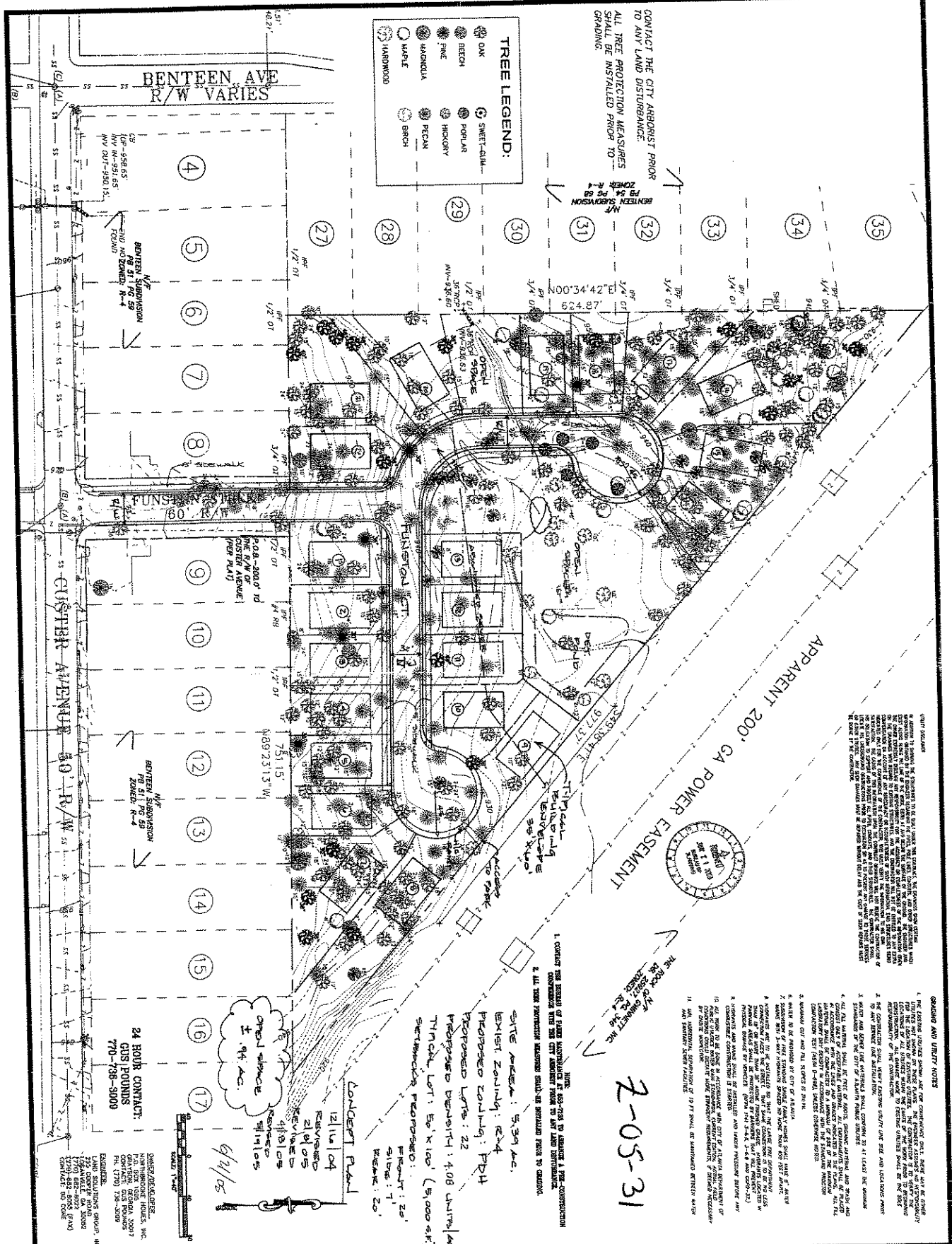
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**Conditions for Z-0<sup>5</sup>~~4~~-31 for 1355 Funston Street, S.E.**

1. Conditioned upon the site plan submitted by the applicant received by the Bureau of Planning on 6/21/05.
2. Number of lots not to exceed 22.
3. The development shall be integrated into the surrounding neighborhood and not delineated as a separate development or subdivision. To that end:
  - There shall be no fencing around the perimeter of the property with the exception of a fence behind the properties facing Custer Avenue, S.E. at the discretion and agreement of the owners of the properties facing Custer Avenue, S.E.
  - There shall be no gates across the entrances or exits to the property.
  - There shall be no monuments on the property
  - The property shall not have a separate name. The name will be that same as the neighborhood in which it is located.
  - The developer will make every effort for the roads to be public roadways. If it is determined the roadways must be private, then public access shall be maintained to the roadways and the adjacent property to the south.
  - The name of the road within the project shall be Funston Street, S.E.
  - Trees shall be planted uniformly along the street as approved by the Arborist.

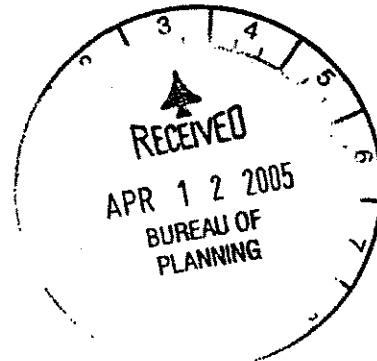
2-05-31



<b>24 HOUSING CONTACT:</b> GUS POUNDS 770-438-3009		<b>DATE:</b> 7/30/04 <b>JOB NUMBER:</b> 246-04-100 <b>FILE LOCATION:</b>	
<b>DESIGNER:</b> LAND SOLUTIONS GROUP, INC. 1000 W. BENTEN AVE. SUITE 100 FULTON COUNTY, GEORGIA 30055 PH: (770) 238-3009 FAX: (770) 238-3009 CONTACT: BO COLE		<b>REVISION</b>	
<b>SHEET TITLE:</b> FUNSTON COURT SUBDIVISION LAND LOT 24 - 14th DISTRICT FULTON COUNTY, GEORGIA		<b>PROJECT:</b>	
<b>DATE:</b> 7/30/04 <b>JOB NUMBER:</b> 246-04-100 <b>FILE LOCATION:</b>		<b>REVISION</b>	

ALL that tract or parcel of land lying and being in Land Lot 24 of the 14th District of Fulton County, Georgia, being 5.39 acres per plat of survey prepared by Thomas Edward Peay, Jr., Registered Land Surveyor, dated July 22, 2003 and revised April 6, 2005, which plat is incorporated herein by reference and which property is more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the intersection of the easterly right of way of Funston Street (60 ft.r/w) and the northern right of way of Custer Avenue (50 ft.r/w); thence proceed north along the easterly right of way of Funston Street a distance of 200.00 feet to an iron pin found, which is THE TRUE POINT OF BEGINNING; thence north 89 degrees 23 minutes 13 seconds west 219.60 feet to an iron pin found; thence north 00 degrees 34 minutes 42 seconds east 624.87 feet to a point; thence south 49 degrees 38 minutes 41 seconds east 977.37 feet to a point; thence north 89 degrees 23 minutes 13 seconds west 531.59 feet to a iron pin found, which is THE TRUE POINT OF BEGINNING,



2-05-31

RCS# 6879  
5/16/05  
2:27 PM

Atlanta City Council

Regular Session

MULTIPLE

0856,0857,0858,0859,0860,0861,0862,0863  
0864,0865,0866,0867,0868,0870,0869,0880  
REFER

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	B Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE